

#3

COPY OF PAPERS  
ORIGINALLY FILED



PATENT APPLICATION  
DOCKET NO.: 27943-00414USP2

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)  
DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMBINING NARROWBAND APPLICATIONS WITH BROADBAND TRANSPORT**, the specification of which: (mark only one)

- \_\_\_\_\_ (a) is attached hereto.
- X   (b) was filed on December 18, 2001, as Application Serial No. 10/025,354, and was amended on \_\_\_\_\_ (if applicable)
- \_\_\_\_\_ (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- \_\_\_\_\_ (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.
- \_\_\_\_\_ (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the

subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

| <u>Number</u> | <u>Country</u> | <u>Month/Day/Year<br/>Filed</u> | <u>Date first<br/>laid-open or<br/>Published</u> | <u>Date<br/>patented or<br/>Granted</u> | <u>Priority Claimed</u> |           |
|---------------|----------------|---------------------------------|--|---|-------------------------|-----------|
|               |                |                                 |  |   | <u>Yes</u>              | <u>No</u> |
| _____         | _____          | _____                           | _____  | _____                                   | _____                   | _____     |
| _____         | _____          | _____                           | _____  | _____                                   | _____                   | _____     |

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

| <u>Application No. (series code/serial no.)</u> | <u>Month/Day/Year Filed</u> | <u>Status(pending, abandoned, patented)</u> |
|---|-----------------------------|---|
| 09/764,953                                      | January 17, 2001            | Pending                                     |
| _____   | _____                       | _____                                       |

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493  
BENJAMIN J. BAI, Reg. No. 43,481  
MICHAEL J. BLANKSTEIN, Reg. No. 37,097  
MARY JO BOLDINGH, Reg. No. 34,713  
MARGARET A. BOULWARE, Reg. No. 28,708  
MATTHEW O. BRADY, Reg. No. 44,554  
DANIEL J. BURNHAM, Reg. No. 39,618  
THOMAS L. CANTRELL, Reg. No. 20,849  
RONALD B. COOLLEY, Reg. No. 27,187  
THOMAS L. CRISMAN, Reg. No. 24,846  
STUART D. DWORK, Reg. No. 31,103  
WILLIAM F. ESSER, Reg. No. 38,053  
ROGER J. FRENCH, Reg. No. 27,786  
JANET M. GARETTO, Reg. No. 42,568  
MARK GATSCHET, Reg. No. 42,569  
JOHN C. GATZ, Reg. No. 41,774  
RUSSELL J. GENET, Reg. No. 42,571  
GERALD H. GLANZMAN, Reg. No. 25,035

LEKHA GOPALAKRISHNAN, Reg. No. 46,733  
J. KEVIN GRAY, Reg. No. 37,141  
STEVEN R. GREENFIELD, Reg. No. 38,166  
JOSHUA A. GRISWOLD, Reg. No. 46,310  
J. PAT HEPTIG, Reg. No. 40,643  
SHARON A. ISRAEL, Reg. No. 41,867  
JOHN R. KIRK JR., Reg. No. 24,477  
PAUL R. KITCH, Reg. No. 38,206  
TIMOTHY M. KOWALSKI, Reg. No. 44,192  
HSIN-WEI LUANG, Reg. No. 44,213  
ROBERT W. MASON, Reg. No. 42,848  
ROGER L. MAXWELL, Reg. No. 31,855  
LISA H. MEYERHOFF, Reg. No. 36,869  
STANLEY R. MOORE, Reg. No. 26,958  
P. WESTON MUSSELMAN JR. Reg. No. 31,644  
DANIEL G. NGUYEN, Reg. No. 42,933  
SPENCER C. PATTERSON, Reg. No. 43,849

RUSSELL N. RIPPAMONTI, Reg. No. 39,521  
ROSS T. ROBINSON, Reg. No. 47,031  
STEPHEN G. RUDISILL, Reg. No. 20,087  
HOLLY L. RUDNICK, Reg. No. 43,065  
J.L. JENNIE SALAZAR, Reg. No. 45,065  
JERRY R. SELINGER, Reg. No. 26,582  
JAMES O. SKARSTEN, Reg. No. 28,346  
ZACHARY J. SMOLINSKI, Reg. No. 47,100  
GARY B. SOLOMON, Reg. No. 44,347  
STEVE Z. SZCZEPANSKI, Reg. No. 27,957  
ANDRE M. SZUWALSKI, Reg. No. 35,701  
ALAN R. THIELE, Reg. No. 30,694  
TAMSEN VALOIR, Reg. No. 41,417  
BRIAN D. WALKER, Reg. No. 37,751  
GERALD T. WELCH, Reg. No. 30,332  
HAROLD N. WELLS, Reg. No. 26,044  
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization

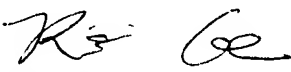
who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Holly L. Rudnick  
Jenkins & Gilchrist, P.C.  
3200 Fountain Place  
1445 Ross Avenue  
Dallas, Texas 75202-2799  
214/855-4780  
214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

|   |   |  |             |
|---|---|--|-------------|
| 1 | KRISTINA GORHAMMAR  |  | 1/11/02     |
|   | <b>Full Name</b>  | <b>Inventor's Signature</b>  | <b>Date</b> |
|   | Jagersdalsvagen 17<br>SE-150 21 Molnbo<br>SWEDEN<br><b>Residence</b> (city, state, country)       | Swedish<br><b>Citizenship</b>  |             |
|   | Jagersdalsvagen 17<br>SE-150 21 Molnbo<br>SWEDEN<br><b>Post Office Address</b> (include zip code) |  |             |

|   |   |                             |             |
|---|---|-----------------------------|-------------|
| 2   | PHILLIP NOKES   | <i>P. B. Nokes</i>          | 16/1/2002   |
|   | <b>Full Name</b>  | <b>Inventor's Signature</b> | <b>Date</b> |
|   | 11 Shepham Avenue<br>Saltdean<br>Brighton<br>East Sussex BN2 8LS<br>UNITED KINGDOM<br><b>Residence</b> (city, state, country) |                             |             |
| 11 Shepham Avenue<br>Saltdean<br>Brighton<br>East Sussex BN2 8LS<br>UNITED KINGDOM<br><b>Post Office Address</b> (include zip code) |   |                             |             |

British  
Citizenship

|   |   |                             |                               |
|---|---|-----------------------------|-------------------------------|
| 3 | JAN LINDQUIST   | <i>J. Lindquist</i>         | 1/4/02                        |
|   | <b>Full Name</b>  | <b>Inventor's Signature</b> | <b>Date</b>                   |
|   | 1313 San Mateo Drive<br>Allen, Texas 75013<br><b>Residence</b> (city, state, country)       |                             |                               |
|   | 1313 San Mateo Drive<br>Allan, Texas 75013<br><b>Post Office Address</b> (include zip code) |                             | Swedish<br><b>Citizenship</b> |